

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

ORIGINAL

2023 MAY 11 PM 4:23

DEPUTY CLERK MS

Jayne T. Rountree
Plaintiff

3-23 CV 1089-N

v.

Civil Action No.

Federal Express Dallas
Defendant

COMPLAINT

I was sexually harassed by Supervisor Aaron Thomas from October 2022 to February 2023. He made comments such as bubble butt, told me I had a nice body, and I was so fine. He told me to give him the pussy and I don't have to get on trailer anymore, he stated I just want to hit it one time emphasizing he had the ability to make my job easier or more difficult. He called me at home on my days off and while at work he would waive the attendance sheet to me pointing out it was the managers discretion to be put on ~~schedule~~ further reinforcing that I need it to comply with his behavior to have work hand given to me. He asked me to get off truck and say I just wanted you to walk up to me. I reported his behavior to Human Resources on Oct 15, 2022. I was never informed of any remedy or resolution. I switched

* Attach additional pages as needed.

Date S-11-23
Signature Jayne R
Print Name Jayne Rountree
Address 4166 Beamer Drive
City, State, Zip Forney, Texas 75126
Telephone 614 564-8542

page 2 of Complaint

my hands around as my job permitted to avoid contact with him. On February 18, 2023, I inquired if there were any managers position's available, I was told do not miss work Sunday bring your notebook, you are going to be trained to be a manager. Get your resume to apply for the position. Come Sunday I had not placed on schedule. On February 18, 2023, I found out there was no available jobs. Aaron Thomas promised a position that he knew was not going to be opened or posted. On March 29, 2023, I was sent home on suspension. I was assigned three locations of large heavy packages that required two people to move because there was no additional staffed. I was moved three times, later as I was going on break I was asked to go back to the back of the warehouse and sent on suspension when I refused to ~~once~~ again be assigned a area or job that required two people. I was terminated on April 7, 2023 for my conduct of the March 29, 2023, incident. The management team had been working diligently to set me up and have a reason to fire me due to the severance. I was harassed by Aaron Thomas.

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <div style="display: flex; justify-content: space-between;"> EEOC 450-2023-04888 </div> <div style="display: flex; justify-content: space-between;"> FEPA </div>	
Texas Workforce Commission Civil Rights Division		and EEOC	
_____ <i>State or local Agency, if any</i>			

I Name (indicate Mr., Ms., Mrs., Miss, Mx., Dr., Hon., Rev.) Ms. Jayme J. Rountree	Home Phone 214-395-5328	Year of Birth 1979
Street Address 3124 South Denley Drive 120 DALLAS, TX 75216		
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)		
Name Federal Express Dallas	No. Employees, Members 15 - 100 Employees	Phone No.
Street Address 1101 East Cleveland Street HUTCHINS, TX 75141		
Name	No. Employees, Members	Phone No.
Street Address City, State and ZIP Code		

DISCRIMINATION BASED ON	DATE(S) DISCRIMINATION TOOK PLACE <div style="display: flex; justify-content: space-between;"> Earliest Latest </div> <div style="display: flex; justify-content: space-between;"> 10/01/2022 04/07/2023 </div>
Sex	

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I was sexually harassed by Supervisor Aaron Thomas from October 2022 to February 2023. He made comments such as bubble butt, told me I had a nice body, and I was so fine. He told me to give him the pussy and I dont have to get on the trailer no more, he stated I just want to hit it onetime. emphasizing he had the ability to make my job easier or more difficult. He called me at home on my days off and while at work he would waive the attendance sheet to me pointing out it was the managers discretion to be put on the schedule further reinforcing that I need it to comply with his behavior to have work hours given to me. He asked to me get off the truck and say, I just wanted you to walk up to me. I reported his behavior to Human Resources on October 15, 2022. I was never informed of any remedy or resolution. I switched my hours around as my job permitted to avoid contact with him. On February 18, 2023, I inquired if there were any managers positions available, I was told do not miss work Sunday bring your notebook, you are going to be trained to be a manager, get your resume to apply for the position. Come Sunday I was not placed on the schedule. On February 18, 2023, I found out there was no available jobs. Aaron Thomas promised a position that he knew was not going to be opened or posted. On March 29, 2023, I was sent home on suspension. I was assigned three locations of large heavy packages that required two people to move, because there was no additional staffed, I was moved three times. Later as I was going on break, I was asked to go back to the back of the warehouse

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.	NOTARY – When necessary for State and Local Agency Requirements
I declare under penalty of perjury that the above is true and correct. Digitally Signed By: Ms. Jayme J. Rountree 04/21/2023	I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)
_____ Charging Party Signature	

<p style="text-align: center;">CHARGE OF DISCRIMINATION</p> <p style="text-align: center;">This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</p>	<p>Charge Presented To: Agency(ies) Charge No(s):</p> <p style="text-align: center;">EEOC 450-2023-04888</p> <p style="text-align: center;">FEPA</p>
<p style="text-align: center;">Texas Workforce Commission Civil Rights Division and EEOC</p> <p style="text-align: center;"><i>State or local Agency, if any</i></p>	

and sent on suspension when I refused to once again be assigned a area or job that required two people. I was terminated on April 7, 2023, for my conduct of the March 29, 2023, incident. The management team had been working diligently to set me up and have a reason to fire me due to the severe way I was harassed by Aaron Thomas.

I believe that I was discriminated against because of my race (Black/African American) in violation of Title VII of the Civil Rights Act of 1964, as amended.

I believe that I was discriminated against because of my sex (female) and sexually harassed, in violation of The VII of the Civil Rights Act of 1964, as amended.

I believe that I was retaliated against in violation of Section 704(a) of Title VII of the Civil Rights Act of 1964, as amended.

<p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.</p>	<p>NOTARY – <i>When necessary for State and Local Agency Requirements</i></p>
<p>I declare under penalty of perjury that the above is true and correct.</p> <p>Digitally Signed By: Ms. Jayme J. Rountree</p> <p>04/21/2023</p> <p style="text-align: right;"><i>Charging Party Signature</i></p>	<p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p> <p>SIGNATURE OF COMPLAINANT</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE</p> <p style="text-align: center;"><i>(month, day, year)</i></p>

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

DEFENDANTS

(b) County of Residence of First Listed Plaintiff Kauffman
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Dallas
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from Another District (specify)
☐ 6 Multidistrict Litigation - Transfer
☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

25 million dollars

CHECK YES only if demanded in complaint:

CURRY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE